

**REMARKS**

Claims 1 and 5-9 are pending in this application. By this Amendment, claim 1 and is amended. No new matter is added. Entry of this Supplemental Amendment is respectfully requested under Rule 111 (a)(2)(ii) because the claims are amended as suggested by the Examiner, as discussed below. Reconsideration of the application is respectfully requested.

Applicants gratefully appreciate the courtesies extended to Applicants' representative by Examiner Payne during the May 27 personal interview. The points discussed are incorporated into the following remarks, and constitute Applicants' summary of the interview.

During the personal interview, Applicants' representative asserted that neither Ueda, Chun nor Brown, alone or in combination, teaches or suggests a portable torch including a swivel pin "being arranged under the diodes, and being located at a distance from the window, in the active position and the inactive position of the optical transmission means, that is larger than a distance from the diodes to the window," as set forth in independent claim 1.

However, the Examiner asserted that pending claim 1 is unclear. Specifically, the Examiner asserted the recitation of "a direction of alignment" is unclear because use of the term "alignment" with respect to optical devices may refer to optical alignment. Further, the Examiner asserted that the exact feature being modified by the phrase "in the active position and the inactive position of the optical transmission means" is unclear.

The Examiner indicated that she will consider a supplemental amendment to clarify the features discussed above. Although Applicants believe that the features of claim 1 are definite, Applicants amend claim 1 to further clarify the direction of alignment or arrangement of the at least two diodes, the location of the swivel pin with respect to the arrangement of the at least two diodes, and that the swivel pin remains at the fixed distance when the optical transmission means is in the active position and the inactive position, as

requested by the Examiner. Neither Ueki, Chun nor Brown, alone or in combination, teaches or suggests the features of claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1 and 5-9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: **June 17, 2005**

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